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09/755,884	01/05/2001	Christoph Lodde	44815/251563	4102
23594	7590 12/04/2002			
JOHN S. PRATT			EXAMINER	
KILPATRICK STOCKTON LLP 1100 PEACHTREE			CHANG, VICTOR S	
SUITE 2800		ART UNIT	PAPER NUMBER	
ATLANTA, GA 30309			1771	·
			DATE MAILED: 12/04/2002	14

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Defice Action Summary Content				# SI			
## Examiner			Application No.	Applicant(s)			
Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILLING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILLING DATE OF THIS COMMUNICATION. 1 The MAILLING DATE OF THIS COMMUNICATION. 2 The period for reply specified above is less than thiry (30) days, a reply within the statutory entire with 500 MONTHS from the realing date of the communication. 2 The period for reply specified above is less than thiry (30) days, a reply within the statutory entire with 500 MONTHS from the mailling date of this communication. 3 This period for reply specified above, the reasonine reaction period will apply add will expire 300 MONTHS from the mailling date of this communication, even if timely fitted, may feduce a thin search period will be statution advantant. 4 This period is publication is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. 5 Disposition of Claims 4 The above claim(s) is/are pending in the application. 4 The proposed drawing are subject to restriction and/or election requirement. Application Papers 9 The specification is objected to by the Examiner. 10 The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Application Papers 9 The proposed drawing correction filed on is/are: a) accepted or b) objected to by the Examiner. Friority under 35 U.S.C. §§ 119 and 120 11			09/755,884	LODDE, CHRISTOPH			
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DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 112

- 2. The following is a quotation of the first paragraph of 35 U.S.C. 112:
 - The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.
- 3. Claims 1-9 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Specifically, in the newly amended claim 1, line 3, the term "uninterrupted" is new matter. There is no apparent express support in the Specification for this term, and inherently "uninterrupted" is equivalent to "free of interruptions", which is new matter under the rule of Ex Parte Grasselli et al. – Bd. of App. 231 PQ 393, Affd. 738 F. 2d 453 (Fed. Cir. 1984) to the effect that limitations such as "free of" a particular element are new matter in the absence of express support.

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Response to Amendment

4. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over
 Mamish (US 5227225), substantially for the reasons set forth in section 4 of Paper No.
 11, together with the following additional observations.

With respect to Applicant's Response arguing that Mamish teaches a nonwoven backing which is embedded in a polyolefin backing, whereas the tape support of the instant claimed invention is formed by an "uninterrupted" textile (Response, page 5, first complete paragraph), the Examiner disagrees. It is noted that the tape backing of the instant claimed invention is impregnated with a thermoplastic resin (Applicant's claim 1, line 6), which is essentially the same as Mamish's tape backing. Mamish describes his invention as "the coated polyolefinic backing layer will both coat the surface of the cloth and invade its interstices, so that the cloth may be said to be "embedded" in the backing layer" (column 1, lines 56-61), as such it would have been clearly obvious to one of ordinary skill in the art to note that Mamish teaches a composite tape backing of textile which is impregnated with polyolefin resin, Applicant's argument to the contrary notwithstanding.

With respect to the comparison table (Response, page 6), the Examiner would like to point out that: First, Mamish teaches that any of the polyolefinic materials employed in the art as backing layers for adhesive tapes may be employed in the practice of his invention (column 2, lines 16-18). Second, Mamish discloses a composite backing of polyolefin impregnated lightweight nonwoven as set forth above.

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Third, preferably the nonwoven is chemically bonded (column 3, lines 24-25), Applicant's argument to the contrary notwithstanding.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor S Chang whose telephone number is 703-605-4296. The examiner can normally be reached on 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel H Morris can be reached on 703-308-2414. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

VSC November 27, 2002 DANIEL ZIRKER
PRIMARY EXAMINER
GROUP-1300-

Samiel Zirken